

**IN THE UNITED STATES COURT
OF APPEALS FOR VETERANS CLAIMS**

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|--------------------------------|---|-----------------------|
| BENNIE RUIZ, JR., |) | |
| |) | |
| Appellant, |) | |
| |) | |
| v. |) | Vet. App. No. 15-2135 |
| |) | |
| ROBERT A. MCDONALD, |) | |
| Secretary of Veterans Affairs, |) | |
| |) | |
| Appellee. |) | |

**APPELLEE’S UNOPPOSED MOTION FOR LEAVE TO FILE,
AN AMENDED RECORD OF PROCEEDING**

Pursuant to U.S. Vet. App. Rule 26(b), Appellee, Robert A. McDonald, Secretary of Veterans Affairs, respectfully moves the Court for leave to file an amended Record of Proceeding (ROP).

This motion for leave is filed because, subsequent to undersigned counsel filing the ROP on September 28, 2016, Appellant’s counsel contacted the undersigned counsel and informed her that one document – the signature page for the September 2010 VA examiner’s addendum opinion, Record Before the Agency (RBA) page 1621 – was missing from the ROP. The Secretary has included the document referenced by Appellant’s counsel in the amended ROP, in the appropriate order. The Secretary moves the Court for leave to submit an amended ROP, which contains RBA page 1621 (the signature page of the September 2010 VA examiner’s addendum opinion, not originally included in the ROP).

Appellant’s counsel was contacted via e-mail and is unopposed to this motion.

WHEREFORE, the Secretary of Veterans Affairs, respectfully requests that the Court grant this Motion for Leave to file an amended ROP.

Respectfully submitted,

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MARY ANN FLYNN

Chief Counsel

/s/ Christopher W. Wallace

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